

10/527703

PATENT

ATTORNEY DOCKET NO.: 001560-528

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Motoo SUMIDA et al.)	
)	
U.S. Application No.: 10/527,703)	Group Art Unit: Unassigned
)	
International Appln. Filing Date: September 12, 2003)	
)	
Date of National Stage Entry: March 11, 2005)	Examiner: Unassigned
)	
For: PROCESS FOR PRODUCTION OF)	
TRANSESTERIFIED OILS/FATS OR)	
TRIGLYCERIDES)	

Commissioner of Patents
MAIL STOP PCT

RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS
UNDER 35 U.S.C. § 371 IN THE U.S. DESIGNATED/ELECTED OFFICE (DO/EO/US)

1. This replies to the Notification of Missing Requirements (Form PCT/DO/EO/905) mailed August 15, 2005.

A copy of the Notification of Missing Requirements (Form PTC/DO/EO/905) is enclosed.

2. Declaration Or Oath

- ☒ No declaration or oath was filed. Enclosed is the original Combined Declaration and Power of Attorney.
- ☐ The specification attached to the declaration is a copy of the specification and any amendments thereto which were filed in the PTO to obtain the filing date.
- ☐ The declaration or oath which was filed was determined to be defective. A new original Combined Declaration and Power of Attorney is attached.

3. English Translation of Non-English Language Papers

- ☐ Submitted herewith is a verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the PTO.
- ☐ Also enclosed is the Verification of Translation Document

4. Small Entity Statement(s)

- ☐ Applicant(s) hereby assert small entity status.

5. Fee Calculation

			Basic National Stage Fee: \$300.00	Previously Paid
	Number Filed	Number Extra	at a Rate of	
Total Claims	30 - 20 =	10	\$50.00 each =	Previously Paid
Independent Claims	7 - 3 =	4	\$200.00 each =	Previously Paid
Multiple dependent claim(s), if any			\$360.00	Not Applicable
Missing Requirements Surcharge Fee			\$130.00	\$130.00
Application Size Fee \$250.00 for each additional 50 sheets that exceeds 100				Not Applicable
Application Search Fee			\$500.00	Previously Paid
Examination Fee			\$200.00	Previously Paid
			SUB-TOTAL =	\$130.00
Fee For Application Filed With A Non-English Specification (37 C.F.R. § 1.17(k) and § 1.52(d))			\$130.00	Not Applicable
Fee For Processing and retention of application (37 C.F.R. § 1.21(l) and § 1.53(d))			\$130.00	Not Applicable
			TOTAL FILING FEE =	\$130.00

6. Extension of Time

The proceedings herein are for a patent application and the provisions of 37 C.F.R. § 1.136(a) apply.

- ☐ Applicants petition for an extension of time, the fees for which are set out in 37 C.F.R. §§ 1.17(a)-(d), for the total number of months checked below:

	Total Months Requested	Extension Fee	Extension Fee [Small Entity]
<input type="checkbox"/>	One month	\$120.00	\$60.00
<input type="checkbox"/>	Two months	\$450.00	\$225.00
<input type="checkbox"/>	Three months	\$1,020.00	\$510.00
<input type="checkbox"/>	Four months	\$1,590.00	\$795.00
<input type="checkbox"/>	Five months	\$2,160.00	\$1,080.00

Extension of time fee due with this request: \$0.00

If an additional extension of time is required, please consider this a Petition therefor.

- ☒ Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

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7. Fee Payment

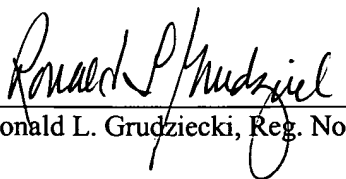
The total fee due is:	Completion Fees	<u>\$130.00</u>
	Assignment Fees	<u>\$40.00</u>
	Total Fee Due	<u>\$170.00</u>

- ☐ The Commissioner is hereby authorized to charge the total fee due to Deposit Account 50-0573.
- ☒ A check in the amount of \$170.00 to cover the above fees is enclosed.
- ☒ **Except** for issue fees payable under 37 C.F.R. §1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this application including fees due under 37 C.F.R §1.16 and §1.17 which may be required, or credit any overpayment to Deposit Account No. 50-0573.

8. Additional papers enclosed.

- ☐ Form PCT/IPEA/409 (English Translation)
- ☐ Preliminary Amendment
- ☐ PCT/IS/210 mailed
- ☐ Information Disclosure Statement
- ☐ Form PTO-1449 – plus documents as listed
- ☐ Declaration of Biological Deposit
- ☐ Submission of "Sequence Listing", computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence.
- ☒ Assignment Recordation Cover Sheet (PTO Form-1595)
- ☒ Assignment of the invention to SUNTORY LIMITED

Respectfully submitted,

DRINKER, BIDDLE & REATH LLP

Ronald L. Grudziecki, Reg. No. 24,970

Date: October 13, 2005

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/527,703	Motoo Sumida	001560-528

INTERNATIONAL APPLICATION NO.

PCT/JP03/11744

IA. FILING DATE	PRIORITY DATE
09/12/2003	09/13/2002

Burns Doane Swecker & Mathis
 P O Box 1404
 Alexandria, VA 22313-1404

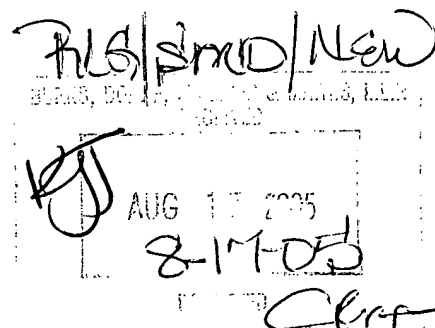
CONFIRMATION NO. 5291
 371 FORMALITIES LETTER
 OC000000016718389
 OC000000016718389

Date Mailed: 08/15/2005

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 03/11/2005
- English Translation of the IA filed on 03/11/2005
- Copy of the International Search Report filed on 03/11/2005
- Copy of IPE Report filed on 03/11/2005
- Preliminary Amendments filed on 03/11/2005
- Information Disclosure Statements filed on 03/11/2005
- U.S. Basic National Fees filed on 03/11/2005
- Priority Documents filed on 03/11/2005



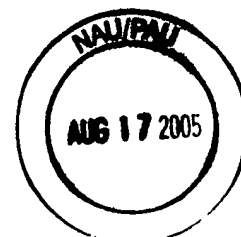
The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.16(f) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:



Missing Parts Due 10-15-05

- \$130 Surcharge.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

*A copy of this notice **MUST** be returned with the response.*

INDIA L EVANS

Telephone: (703) 308-9140 EXT 212

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/527,703	PCT/JP03/11744	001560-528

FORM PCT/DO/EO/905 (371 Formalities Notice)